

NOTIFICATION OF COURT ORDER

On October 22, 2020, an Order was issued in *David K. Rosing, M.D.*, Riverside County Superior Court, Case No. SWF2007307 by Stephen Gallon, Judge Presiding. Under the Order, as a condition of bail, DAVID K. ROSING, M.D. (Physician's and Surgeon's Certificate Number A 89674) is prohibited from prescribing any and all controlled substances effective October 22, 2020. A copy of the Order is attached.

OCT 22 2020

K LeBrun

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*Attorneys for Applicant: Executive
Director of the Medical Board of California*

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE, SOUTHWEST JUSTICE CENTER**

**THE PEOPLE OF THE STATE OF
CALIFORNIA,**

Plaintiff,

v.

DAVID K. ROSING, M.D.
[REDACTED]

Defendant,

Case No. SWF2007307

**STIPULATION FOR RESTRICTION OF
PRACTICE; ORDER**

(Penal Code, § 23)

Date: October 23, 2020

Time: 8:30 a.m.

Dept: S204

Judge: Hon. Stephen Gallon

**WILLIAM PRASIFKA, EXECUTIVE
DIRECTOR OF THE MEDICAL BOARD
OF CALIFORNIA, DEPARTMENT OF
CONSUMER AFFAIRS,**

Applicant.

Defendant David K. Rosing, M.D. (Defendant) and William Prasifka, in his official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs, State of California (Applicant), by and through their respective counsel, hereby stipulate to the following:

1 1. Defendant is represented in the above-entitled matter by Craig B. Garner, Esq., whose
2 office is located at: 13274 Fiji Way, Suite 250, Marina del Rey, CA 90292, and T. Edward
3 Welbourn, Esq, whose office is located at: 4100 Newport Place, Suite 550, Newport Beach, CA
4 92660.

5 2. Applicant, William Prasifka, Executive Director of the Medical Board of California,
6 is represented in the above-entitled matter by Xavier Becerra, Attorney General of the State of
7 California, by Deputy Attorney General LeAnna E. Shields.

8 3. The Medical Board of California is a state agency charged with protecting the public
9 through the licensing and discipline of physicians and surgeons in the State of California.

10 4. On December 22, 2004, the Medical Board of California issued Physician's and
11 Surgeon's Certificate No. A89674 to Defendant. Physician's and Surgeon's Certificate No.
12 A89674 is current and will expire on August 31, 2022, unless renewed.

13 5. On or about May 5, 2020, a felony complaint was filed in *People of the State of*
14 *California v. David K. Rosing*, Superior Court of California, County of Riverside, Case No.
15 SWF2007307, charging Defendant with seven felonies. Specifically, Defendant has been charged
16 with one count of Penal Code section 187, subdivision (a) (murder), one count of Penal Code
17 section 368, subdivision (b)(1) (harm or death to a dependent adult), two counts of Health and
18 Safety Code section 11153, subdivision (a) (prescribing Oxycodone not in the usual course of
19 professional treatment or in legitimate and authorized research, or, for addicts or habitual users,
20 not in the course of professional treatment or as part of an authorized narcotic treatment
21 program), two counts of Health and Safety Code section 11154, subdivision (a) (prescribing,
22 administering, or dispensing Oxycodone not in the regular practice of their profession), and one
23 count of Health and Safety Code section 11156, subdivision (a) (prescribing, administering, or
24 dispensing Oxycodone and alprazolam to an addict).

25 6. Penal Code section 23 authorizes a state agency to voluntarily appear in a criminal
26 proceeding and make a recommendation to the Court to promote the interests of justice and
27 protect the interests of the public if the crime charged is substantially related to the qualifications,
28 functions, or duties of the licensee.

1 7. The parties have conferred and, through their respective attorneys, have reached an
2 agreement as to the issuance of an Order by this Court regarding the interim status of Defendant's
3 ability to practice medicine as a condition of his present bail, any future bail, and/or any possible
4 own recognizance release in Superior Court Case No. SWF2007307.

5 8. Defendant stipulates and agrees as follows:

6 Defendant shall be, and immediately is, prohibited from prescribing any and all
7 controlled substances as defined in the California Controlled Substances Act under
8 Schedules II, III, IV and V in the State of California, until the above-captioned
9 criminal proceeding is fully and completely concluded, unless as otherwise agreed
upon by the parties in writing, or upon further order of the Court or the Medical
Board of California.

10 9. It is agreed that copies of signatures to this Stipulation shall be binding as originals,
11 and that this Stipulation may be signed in counterpart.

12 **IT IS SO STIPULATED:**

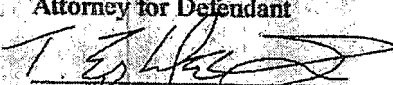
13 Dated: 10/14/20


14 DAVID K. ROSING, M.D.
Defendant

15 Dated: _____

16 CRAIG B. GARNER, Esq.
Attorney for Defendant

17 Dated: 10/14/2020


18 T. EDWARD WELBOURN, Esq.
Attorney for Defendant

19 Dated: _____

20 MARCUS GARRETT
21 Deputy District Attorney

22 Dated: _____

23 XAVIER BECERRA
Attorney General of California
24 MATTHEW M. DAVIS
Supervising Deputy Attorney General

25 LEANNA E. SHIELDS
26 Deputy Attorney General
27 Attorneys for Applicant
28

1 7. The parties have conferred and, through their respective attorneys, have reached an
2 agreement as to the issuance of an Order by this Court regarding the interim status of Defendant's
3 ability to practice medicine as a condition of his present bail, any future bail, and/or any possible
4 own recognizance release in Superior Court Case No. SWF2007307.

5 8. Defendant stipulates and agrees as follows:

6 **Defendant shall be, and immediately is, prohibited from prescribing any and all**
7 **controlled substances as defined in the California Controlled Substances Act under**
8 **Schedules II, III, IV and V in the State of California, until the above-captioned**
9 **criminal proceeding is fully and completely concluded, unless as otherwise agreed**
10 **upon by the parties in writing, or upon further order of the Court or the Medical**
11 **Board of California.**

12 9. It is agreed that copies of signatures to this Stipulation shall be binding as originals,
13 and that this Stipulation may be signed in counterpart.

14 **IT IS SO STIPULATED:**

15 Dated: _____

16 DAVID K. ROSING, M.D.
17 Defendant

18 Dated: October 14, 2020

19 CRAIG B. GARNER, Esq.
20 Attorney for Defendant

21 Dated: _____

22 T. EDWARD WELBOURN, Esq.
23 Attorney for Defendant

24 Dated: _____

25 MARCUS GARRETT
26 Deputy District Attorney

27 Dated: October 15, 2020

28 XAVIER BECERRA
Attorney General of California
MATTHEW M. DAVIS
Supervising Deputy Attorney General

LEANNA E. SHIELDS
Deputy Attorney General
Attorneys for Applicant


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[PROPOSED] ORDER

The Court, having accepted the stipulation of the parties, and good cause appearing,
IT IS HEREBY ORDERED THAT, by order of this Court, until the completion of this criminal
proceeding, up to and including probation, Defendant DAVID K. ROSING, M.D., hereby agrees
that, by order of this Court, and as a condition of bail, until the completion of this criminal
proceeding, up to and including probation, Defendant shall be, and immediately is, prohibited
from prescribing any and all controlled substances as defined in the California Controlled
Substances Act under Schedules II, III, IV and V in the State of California, until the above-
captioned criminal proceeding is fully and completely concluded, unless as otherwise agreed
upon by the parties in writing, or upon further order of the Court or the Medical Board of
California.

IT IS SO ORDERED.

Dated: 10-22-20



JUDGE OF THE SUPERIOR COURT
STATE OF CALIFORNIA
COUNTY OF RIVERSIDE